

Atty Docket No. 020048-003320US

PTO FAX NO.: 703-746-5142

ATTENTION: Examiner Juliet C. Einsmann  
TELEPHONE NO.: 703-306-5824

Group Art Unit 1634

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER Juliet C. Einsmann**  
**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following document(s) in re Application of William A. McMillan, Application No. 09/808,706, filed March 14, 2001 for METHOD FOR QUANTITATIVE ANALYSIS OF A NUCLEIC ACID AMPLIFICATION REACTION is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Copy of Stamped Return Receipt Postcard
2. Copy of Amendment Filed August 13, 2003

Number of pages being transmitted, including this page: 19

Dated: September 10, 2003

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Atty. Docket No.: 020048-003320US  
Application No.: 09/808,706  
Titled: Method for Quantitative Analysis of a Nucleic Acid  
Amplification Reaction  
William A. McMillian  
Inventor(s): August 13, 2003  
Date Mailed: RL:ash  
Atty/Secy:

Enclosed 1) Transmittal  
2) Fee Transmittal-In duplicate  
3) Petition for Extension of Time  
4) Amendment  
5) Return Postcard

60018053 v1

**TO THE U.S. PATENT AND TRADEMARK OFFICE:**

Please stamp your date of receipt of the following documents and return this card to addressee:

Atty. Docket No.: 020048-003320US  
Application No.: 09/808,706  
Titled: Method for Quantitative Analysis of a Nucleic Acid  
Amplification Reaction  
William A. McMillian  
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60018053 v1

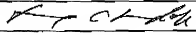
PTO/SB/21 (05-03)

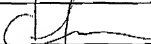
Approved for use through 04/30/2003, OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/808,706
	Filing Date	March 14, 2001
	First Named Inventor	McMillan, William A.
	Art Unit	1634
	Examiner Name	Juliet C. Einsmann
Total Number of Pages in This Submission	Attorney Docket Number	020048-003320US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Townsend and Townsend and Crew LLP Chun-Pok Leung	Reg. No. 41,405
Signature		
Date	8-13-03	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Andrew S. Beck	Date	8/13/03
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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60018048 v1

App. Use through 04/30/2003. CMB 0661-0032  
 Patent and Trademark Officer U.S. DEPARTMENT OF COMMERCE  
 Complete (if known)

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 964

Application Number 09/608,706  
 Filing Date March 14, 2001  
 First Named Inventor McMillan, William A.  
 Examiner Name Juliet C. Einsmann  
 Art Unit 1634  
 Attorney/Agent No. 020048-00320US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 20-1430

Deposit Account Name Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	250	2001	375 Utility filing fee	
1002	330	2002	165 Design filing fee	
1003	820	2003	260 Plant filing fee	
1004	750	2004	375 Reissue filing fee	
1005	180	2005	60 Provisional filing fee	

SUBTOTAL (\$) 630

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims		Fees from below		Fee Paid
Total Claims	31	-28** =	3	X \$18 =	\$54
Independent Claims	2	-3** =	0	X \$04 =	\$0
Multiple Dependent				X	

Large Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202	16	2202	9 Claims in excess of 20	
1201	84	2201	42 Independent claims in excess of 3	
1409	280	2203	140 Multiple dependent claim, if not paid	
1204	84	2204	42 Reissue independent claims over original patent	
1205	16	2205	9 Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) 334

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65 Surcharge - late filing fee or oath	
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130 Non-English specification	
1612	2,520	1612	2,520 For filing a request for reexamination	
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	
1261	110	2261	55 Extension for reply within first month	
1262	410	2262	205 Extension for reply within second month	
1263	830	2263	405 Extension for reply within third month	830
1264	1,450	2264	725 Extension for reply within fourth month	
1265	1,570	2265	985 Extension for reply within fifth month	
1401	320	2401	160 Notice of Appeal	
1402	320	2402	160 Filing a brief in support of an appeal	
1403	260	2403	140 Request for oral hearing	
1451	1,510	1451	1,510 Petition to institute a public use proceeding	
1452	110	2452	55 Petition to revive - unworkable	
1453	1,300	2453	650 Petition to revive - unintentional	
1501	1,300	2501	650 Utility issue fee (or reissue)	
1502	470	2502	235 Design issue fee	
1503	630	2503	315 Plant issue fee	
1490	130	1490	130 Positions to the Commissioner	
1607	60	1607	60 Petitions related to provisional applications	
1606	180	1606	180 Submission of information Disclosure Sheet	
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	
1609	750	2609	375 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	760	2601	375 Request for Continued Examination (RCE)	
1802	600	1802	600 Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) 930

## SUBMITTED BY

Name (Print/Type) Chun-Pok Leung

Registration No. (Attorney/Agent) 41,405

Telephone 650-326-2400

Signature

*[Signature]*

Date

8-13-03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-9039.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 6001/5046-V1

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PTO/SB/22 (06-03)

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 020048-003520US
In re Application of William A. McMillan		
Application Number 09/808,706	Filed March 14, 2001	
For METHOD FOR QUANTITATIVE ANALYSIS OF A NUCLEIC ACID AMPLIFICATION REACTION		
Art Unit 1634	Examiner Juliet C. Einsmann	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

☐ One month (37 CFR 1.17(a)(1)) \$

☐ Two months (37 CFR 1.17(a)(2)) \$

☒ Three months (37 CFR 1.17(a)(3)) \$930

☐ Four months (37 CFR 1.17(a)(4)) \$

☐ Five months (37 CFR 1.17(a)(5)) \$

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ .

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-1430.

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor,

☐ assignee of record of the entire interest. See 37 CFR 3.71  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.. Registration Number 41,405

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a): \_\_\_\_\_.

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8-13-03  
Date

Chun-Pok Leung  
Signature  
Chun-Pok Leung, Reg. No. 41,405  
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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